

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 FEA-01 AGR-10 CEA-01 CIAE-00

COME-00 DODE-00 FRB-01 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-02 AID-05 CIEP-02 SS-15 STR-04

TAR-01 TRSE-00 USIA-15 PRS-01 SP-02 OMB-01 IO-10

XMB-04 /121 W

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R 141300Z AUG 75

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 6425

INFO USMISSION EC BRUSSELS

UNCLAS SECTION 1 OF 3 VIENNA 6994

EO 11652: NA

TAGS: ETRD, AU

SUBJECT: FOREIGN PRODUCT STANDARDS AND CERTIFICATION SYSTEMS

REF: STATE 182572

IN COMPLIANCE WITH REFTEL INSTRUCTIONS, EMBASSY SUBMITS
FOLLOWING REPORT ON STANDARDS AND CERTIFICATION SYSTEMS IN
AUSTRIA. INFORMATION BELOW IS KEYED TO QUESTIONS IN PARA 5,
REFTEL.

A1--

PRACTICALLY ALL FEDERAL MINISTERIES AND LARGE NUMBER OF
CENTRAL GOVERNMENT AGENCIES ARE INVOLVED IN DEVELOPING NATIONAL
STANDARDS WHICH, AFTER PASSED BY PARLIAMENT OR BY ISSUANCE
OF ORDINANCES OR DECREES, BECOME MANDATORY ON A NATIONAL SCALE.
THESE INCLUDE STANDARDS SUCH AS THE AUSTRIAN FOOD CODE, FOOD
LABELING ORDINANCE, BOTTLE ORDINANCE, DETERGENT ORDINANCE,
SAFETY ORDINANCE CONCERNING MACHINES, FEEDSTUFF LAW, AND THE
STEAM BOILER AND PRESSURE VESSEL ORDINANCE.

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IN ADDITION TO FEDERAL AGENCIES, PROVINCIAL GOVERNMENTS AND MUNICIPALITIES DEVELOP AND/OR ENFORCE STANDARDS IN THOSE AREAS WHICH, ACCORDING TO THE AUSTRIAN CONSTITUTION, FALL UNDER THEIR RESPONSIBILITY. FOR INSTANCE, A TOTAL OF 14 INDIVIDUAL CONSTRUCTION CODES ON PROVINCIAL (9) AND MUNICIPAL (5) LEVELS ARE IN EFFECT.

ON FEDERAL LEVELS, MAJOR GOVERNMENT AGENCIES INVOLVED IN DEVELOPING AND ENFORCING MANDATORY STANDARDS ARE AS FOLLOWS: BUNDESMINISTERIUM FÜR BAU UND TECHNIK (FEDERAL MINISTRY FOR CONSTRUCTION AND TECHNOLOGY); BUNDESMINISTERIUM FÜR LAND-UND FORSTWIRTSCHAFT (FEDERAL MINISTRY FOR AGRICULTURE AND FORESTRY); BUNDESMINISTERIUM FÜR HANDEL, GEWERBE UND INDUSTRIE (FEDERAL MINISTRY FOR TRADE, COMMERCE AND INDUSTRY); BUNDESMINISTERIUM FÜR GESUNDHEIT UND UMWELTSCHUTZ (FEDERAL MINISTRY FOR HEALTH AND ENVIRONMENTAL PROTECTION); AND BUNDESMINISTERIUM FÜR SOZIALE VERWALTUNG (FEDERAL MINISTRY FOR SOCIAL ADMINISTRATION).

AS FAR AS VOLUNTARY STANDARDS ARE CONCERNED, THE FEDERAL MINISTRY FOR CONSTRUCTION AND TECHNOLOGY, ON BASIS OF THE STANDARDS LAW OF 1971, WAS EMPOWERED TO AUTHORIZE AN ASSOCIATION, WHOSE PURPOSE IS THE DEVELOPMENT AND PUBLICATION OF STANDARDS AND WHOSE ACTIVITIES ARE NOT PROFIT-DIRECTED, TO MARK ITS STANDARDS QUOTE ÖSTERREICHISCHE NORMEN (ÖNORMEN) UNQUOTE. THE ASSOCIATION WHICH RECEIVED THIS AUTHORIZATION IS THE AUSTRIAN STANDARDS INSTITUTE (QUOTE ÖSTERREICHISCHES NORMUNGsinstitut UNQUOTE, HEREAFTER TERMED QUOTE Ö.N. UNQUOTE) Ö.N. WAS FOUNDED AS AN ASSOCIATION IN 1920 ON PRIVATE SECTOR INITIATIVE AND IS IN NO WAY SUBJECT TO GOVERNMENT CONTROL. ABOUT 400 INDUSTRIAL ENTERPRISES, OFFICIAL AGENCIES AND OTHER ORGANIZATIONS ARE Ö.N. MEMBERS. Ö.N. IS SUBSIDIZED BY THE AUSTRIAN FEDERAL CHAMBER OF COMMERCE, BUT MAINTAINS COMPLETE INDEPENDENCE. IT IS MANAGED BY A COUNCIL ELECTED AT A GENERAL MEETING OF MEMBERS OF AFOREMENTIONED ORGANIZATIONS.

Ö.N. STANDARDS ARE DEVELOPED AND ELABORATED BY TECHNICAL COMMITTEES, COMPRISING REPRESENTATIVES OF PRODUCERS, CONSUMERS, SCIENTISTS AND AUTHORITIES AS FULLY EQUAL PARTNERS. WITH MINOR EXCEPTIONS, Ö.N. STANDARDS ARE TO BE ADOPTED BY UNANIMOUS DECISION.

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NICAL COMMITTEES, COMPRISING REPRESENTATIVES OF PRODUCERS, CONSUMERS, SCIENTISTS AND AUTHORITIES AS FULLY EQUAL PARTNERS. WITH MINOR EXCEPTIONS, Ö.N. STANDARDS ARE TO BE ADOPTED BY UNANIMOUS DECISION.

IN PRINCIPLE, Ö.N. STANDARDS HAVE THE CHARACTER OF VOLUNTARY AGREEMENTS, BUT ANY STANDARD CAN BE DECLARED AS BINDING BY ANY PUBLIC AUTHORITY INTERESTED IN THE

SUBJECT CONCERNED. E.G., THE VIENNA MUNICIPALITY HAS DECLARED A LARGE NUMBER OF O.N. CONSTRUCTION STANDARDS AS BINDING; FEDERAL MINISTERIES HAVE TAKEN SIMILAR ACTIONS ON STANDARDS FOR PRODUCTS SUCH AS SAFETY BELTS, EXPLOSIVE ACCENTUATED RAM TOOLS, ELEVATORS, CRANES AND WINCHES.

O.N., DEVELOPES AND ISSUES THE FOLLOWING TYPES OF STANDARDS: DIMENSION STANDARDS, MATERIAL STANDARDS, DELIVERY STANDARDS, TEST STANDARDS, CONTRACT STANDARDS, PROCESS STANDARDS, COMMUNICATION STANDARDS, SORTING STANDARDS, TYPE STANDARDS, PROJECTING STANDARDS, CONSTRUCTION AND CALCULATION STANDARDS, QUALITY STANDARDS, AND SAFETY STANDARDS.

O.N. IS REQUIRED TO MAINTAIN STANDARDS REGISTERS FOR (A) ALL O.N. STANDARDS PRODUCED ON BASIS OF THE OLD STANDARDS LAW OF 1954 OR ITS SUCCESSOR OF 1971, (B) O.N. STANDARDS WHICH HAVE BEEN DECLARED AS BINDING BY LAWS AND ORDINANCES. (C) O.N. STANDARDS PROVIDING FOR EXAMINATIONS BY AUTHORIZED ORGANIZATIONS AND AUTHORIZED CIVIL ENGINEERS, AND (D) FOR FOREIGN AND INTERNATIONAL STANDARDS OCASIONALLY RECOMMENDED AS GUIDELINES IN AUSTRIA.

THERE IS NO CENTRAL AGENCY WHICH COORDINATES ACTIVITIES OF ALL MANDATORY STANDARDS MAKING AGENCIES.

A2--

TOTAL OR ESTIMATED NUMBER OF MANDATORY STANDARDS NOT AVAILABLE. AS FAR AS O.N. STANDARDS ARE CONCERNED, 26 OF 1572 O.N. STANDARDS EXISTING AT THE END OF 1974
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ARE MANDATORY ON NATIONAL SCALE; 224 OF TOTAL O.N. STANDARDS ARE MANDATORY OR QUASI-COMPULSORY ON PROVINCIAL LEVELS. BREAKDOWN BY GROUPINGS FOLLOWS:
GENERAL-1 NATIONAL SCALE (NS), 2 PROVINCIAL LEVELS (PLS);
BUILDING AFFAIRS-168 PL; CHEMICAL INDUSTRY- 1 PL;
FIRE EXTINGUISHING AND RESCUE AFFAIRS- 2 NS, 7 PL;
MACHINERY- 23 NS, 44 PL; AND TRANSPORTATION- 2 PL.
IN ADDITION TO 1572 O.N. STANDARDS, ABOUT 390 GERMAN INDUSTRY STANDARDS (DEUTSCHE INDUSTRIE NORMEN-DIN) HAVE BEEN RECOMMENDED FOR USE IN AUSTRIA BY O.N.

A3--

OVERALL PERCENTAGE OF NATIONAL MANDATORY STANDARDS BASED ON INTERNATIONAL STANDARDS NOT AVAILABLE. IMPORTANT STANDARDS SUCH AS FOOD CODE ARE BASED ON RECOMMENDATIONS OF INTERNATIONAL BODIES SUCH AS THE CODEX

ALIMENTARIUS COMMISSION AND SIMILAR ORGANIZATIONS.

THE SAME IS TRUE FOR O.N. STANDARDS DECLARED
MANDATORY ON NATIONAL SCALE OR BY PROVINCIAL AUTHORI-
TIES. IT IS ESTIMATED THAT BETWEEN 30 AND 40 PERCENT
OF MANDATORY O.N. STANDARDS ARE BASED ON STANDARDS
DEVELOPED BY INTERNATIONAL ORGANIZATIONS, AND THAT
ABOUT ONE-THIRD OF THESE INTERNATIONALLY-BASED STAN-
DARDS ARE DERIVED FROM REGIONAL STANDARDS.

A4--

GOVERNMENT DRAFTS ARE SUBMITTED TO ORGANIZATIONS
SUCH AS CHAMBER OF COMMERCE, CHAMBER OF LABOR, AND
LEAGUE OF AUSTRIA INDUSTRIALISTS FOR REVIEW AND
COMMENTS. OBJECTIONS MAY BE RAISED BY PARTIES REPRESENTED

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 FEA-01 AGR-10 CEA-01 CIAE-00

COME-00 DODE-00 FRB-01 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-02 AID-05 CIEP-02 SS-15 STR-04

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XMB-04 /121 W

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R 141300Z AUG 75

FM AMEMBASSY VIENNA

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SENT IN SUCH ORGANIZATIONS.

O.N. STANDARDS REQUIRE ADVANCE PUBLICATION AND
STANDARDS MAY BE CHALLENGED WITHIN PERIOD OF SIX WEEKS.
PUBLIC ADVANCE PUBLICATION AND LAST DAY OF OPPOSITION

PERIOD IS ANNOUNCED IN INFORMATION BULLETIN OF O.N.
OBJECTIONS MAY BE RAISED BY ALL INTERESTED (DOMESTIC
AND FOREIGN) PARTIES. ISSUANCE AND WITHDRAWAL OF O.N.
STANDARDS IS REPORTED IN OFFICIAL GAZETTE OF SEMI-
OFFICIAL DAILY NEWSPAPER, QUOTE WIENER ZEITUNG UNQUOTE.
PERIOD BETWEEN APPROVAL AND IMPLEMENTATION DIFFERS
WIDELY AND MAY RANGE FROM A COUPLE OF DAYS TO 18 MONTHS
(INCLUDING TRANSITION PERIODS).

A5--

STATE AND, IN A SMALLER DEGREE, MUNICIPAL AUTHORITIES,
ENGAGE IN WRITING MANDATORY STANDARDS. NINE PROVINCIAL
(STATE) GOVERNMENTS AND THEORETICALLY ABOUT 2,200 MUNICI-
PALITIES INVOLVED. NUMBER OF TOTAL MANDATORY STANDARDS
NOT AVAILABLE; REASON IS THAT LARGE NUMBER OF STANDARDS
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QUOTE HIDDEN UNQUOTE IN LAWS AND REGULATIONS ISSUED BY
FEDERAL, STATE AND MUNICIPAL AUTHORITIES AND THAT NO
CENSUS OF MANDATORY STANDARDS HAS EVER BEEN UNDERTAKEN
IN AUSTRIA. (SUCH A CENSUS IN PRACTICE WOULD BE A
GIGANTIC TASK FOR AUSTRIAN AUTHORITIES AS IT WOULD
INVOLVE EXAMINATION OF THOUSANDS OF LAWS AND REGULATIONS OF ALL
COMPETENT AUTHORITIES.)

A6--

VOLUNTARY STANDARDS ARE WRITTYC959Y

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 FEA-01 AGR-10 CEA-01 CIAE-00

COME-00 DODE-00 FRB-01 H-02 INR-07 INT-05 L-03 LAB-04

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R 141300Z AUG 75

FM AMEMBASSY VIENNA

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ASSURANCES FROM FOREIGN SUPPLIERS THAT A GIVEN
PRODUCT CONFORMS TO MANDATORY OR VOLUNTARY STANDARDS
ARE NOT ACCEPTED, NOR ARE CONFORMITY ASSURANCES
ACCEPTED FROM FOREIGN TESTING STATIONS. HOWEVER, A
TEST CERTIFICATE ISSUED BY A REPUTABLE EXAMINATION
AGENCY IN THE SUPPLIER COUNTRY, CERTIFYING THAT A
PRODUCT MEETS THE STANDARDS OF THE EXPORTING COUNTRY,
IN SOME INSTANCES MIGHT LIMIT TESTING TO THOSE NATIONAL
SPECIFICATIONS WHICH DIFFER FROM CORRESPONDING STANDARDS
APPLICABLE IN THE COUNTRY IN WHICH THE EXAMINATION WAS

MADE.

A RELATIVELY LARGE NUMBER OF GOVERNMENT AND NON-
GOVERNMENT ORGANIZATIONS ARE REPORTEDLY WILLING TO
SUPPORT RECIPROCAL AGREEMENTS ALLOWING FOR TESTING
AND/OR CERTIFICATION IN FOREIGN COUNTRIES. RECI-
PROCAL SPECIAL ARRANGEMENTS DO EXIST FOR A LIMITED
NUMBER OF PRODUCTS (E.G. PHARMACEUTICALS, STEAM
BOILERS, PRESSURE VESSELS AND ELECTRICAL APPLIANCES)
ORIGINATING IN EFTA COUNTRIES UNDER WHICH IMPORTING
EFTA COUNTRIES HAVE AGREED TO RECOGNIZE TESTS PER-
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FORMED IN EXPORTING EFTA COUNTRIES.

TESTING AND CERTIFICATION PRODCEDURES DO NOT DIS-
CRIMINATE AGAINST FOREIGN PRODUCTS. HOWEVER, BETTER
LOCAL KNOWLEDGE OF DOMESTIC STANDARDS, KNOWLEDGE OF
REQUIRED STEPS AND MORE CONVENIENT LOCATION OF
TESTING STATIONS ARE CONSIDERED TO BE ADVANTAGES
FOR DOMESTIC BUSINES COMMUNITY.

MAJOR POLICY OF STANDARDS WRITING AGENCIES AIMS
AT PREVENTING DISTRIBUTION AND USE OF HAZARDOUS AND
SUB-STANDARD PRODUCTS. REGARDELSS OF WHETHER STANDARDS
ARE MANDATORY OR VOLUNTARY, AND WHETHER SUCH STANDARDS
HAVE BEEN WRITTEN BY FEDERAL, STATE OR MUNCIPAL
AUTHORITIES, OR BY O.N., APPLICABLE TESTING PROCE-
DURES DIFFER WIDELY FROM PRODUCT TO PRODUCT. IN MANY
INSTANCES, STANDARDS SPECIFY WHICH GROUP OF TESTING
AGENCIES IS COMPETENT TO EXAMINE A GIVEN PRODUCT.
EXAMINATIONS ARE TO BE CARRIED OUT IN ACCORDANCE
WITH INSTRUCTIONS PROVIDED BY THE STANDARDIZING
ORGANIZATION, OR, IN THE ABSENCE OF SPECIFIC INSTRUC-
TIONS, IN ACCORDANCE WITH LATEST TECHNOLOGICAL AD-
VANCES.

C1- SEE A1 AND A5--

C2--

AUSTRIA'S QUOTE OFFICIAL UNQUOTE STANDARDS
ORGANIZATION, I.E. THE O.N.IS NOT SUBJECT TO GOVERN-
MENT CONTROL EXCEPT THAT MINISTRY OF CONSTRUCTION
AND TECHNOLOGY CAN REVOKE O.N.'S AUTHORITY IF O.N.
DOES NOT PEROFORM ITS DUTIES SATISFACTORILY. O.N.
IS NOT SUBSIDIZED BY THE GOVERNMENT; DEFICITS ARE
COVERED BY AUSTRIA'S FEDERAL CHAMBER OF COMMERCE.

C-3--

AS LONG AS STANDARDS OF PROVINCIAL OR MUNICIPAL
AUTHORITIES ARE PROPERLY LIMITED TO AREAS FALLING
UNDER THEIR JURISDICTIONS, AUSTRIA'S CENTRAL GOVERN-
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MENT HAS NO LEGAL AUTHORITY TO INVALIDATE THEM. MEEHAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
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Concepts: STANDARDS, REPORTS, COMMODITIES, TEXT, INTERGOVERNMENTAL COOPERATION
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Copy: SINGLE
Draft Date: 14 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
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Disposition Event:
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Disposition Remarks:
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Handling Restrictions: n/a
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Legacy Key: link1975/newtext/t19750850/aaaabshl.tel
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06 JUL 2006

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